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June 22, 2017

The Honorable Scott Wiener
Chair, Senate Human Services Committee
State Capitol, Room 2176
Sacramento, CA 95814

Dear Senator Wiener:

Re: AB 85 (Rodriguez) – OPPOSE

The California State Association of Counties (CSAC), the County Welfare Directors Association of California (CWDA), the Urban Counties of California, and the Rural County Representatives of California (RCRC) are writing to inform you that our organizations have an OPPOSE position on AB 85 by Assembly Member Rodriguez.

AB 85 would require counties to alter their locally-established General Assistance (GA) eligibility levels to provide additional county-funded assistance to veterans. This requirement raises mandate concerns as well as issues of precedent, as we have discussed with your staff and sponsor. While counties strive to serve veteran populations through our Veterans Services Offices and coordination among services available through the county human services, health, and mental health departments, AB 85 presents a significant infringement on counties' statutory GA authority by imposing a statewide mandate for a specific population without identifying a source of funding for the requirement. The "opt out" provision in the bill is not a true solution, as it puts counties in the untenable position of having to agendize the issue and take a difficult public vote against the veterans receiving these services, which sets up a Catch-22 situation for Boards of Supervisors, given the sympathetic nature of the group affected by the bill.

With that in mind, we proposed reasonable amendments to the bill that have not been accepted, forcing us to move to a position of opposition on the bill. Specifically, we recommended the bill be amended to create a structure that follows past practice with legislative priorities like the one in this bill, by offering counties funding to opt into a newly created Extended GA for Veterans program, subject to appropriation in the annual Budget Act. This is similar to the Approved Relative Caregiver (ARC) program that was created as part of the 2014-15 budget, in which funds are made available to counties that opt into the program. A county that opts in to ARC is then subject to the requirements of the program for that year.

The following amendments would address our concerns:

- Create the Extended GA for Veterans program in state statute, with funding for the program subject to appropriation in the annual Budget Act.

- Allow counties to opt into the program, on a year-to-year basis, in any year in which funding is appropriated for it.
- Counties that opt in will share in the funds provided for this purpose in the budget, and are subject to the requirements of the program, which may be set forth via a combination of statute and regulations.
- A county that opts in does so for a full fiscal year but may change its choice from one year to the next subject to a process determined by the state in consultation with counties.

If the provision of additional cash assistance to veterans is a goal for the Legislature, the members should be willing to identify a funding source and prioritize this program as part of the annual budget negotiation with the Governor. It should not fall on the counties to fund this program out of their own general fund budgets, especially given the limited revenue-raising authority California's counties are granted. The structure we propose has been used with success in the recent past and can be a reasonable way to achieve the goal of this bill to provide adequate services to veterans.

We believe our requested amendments strike an appropriate balance between county safety net requirements under current Section 17000 of the Welfare and Institutions Code and the priorities of the Legislature. However, the bill has not been amended and now is in your committee with the same issues that we have raised since it was introduced.

For these reasons, our organizations have an OPPOSE position on AB 85.

Sincerely,

Justin Garrett
Legislative Representative
CSAC

Jolena Voorhis
Executive Director
Urban Counties of California

Tracy Rhine
Legislative Advocate
Rural County Representatives of California

Cathy Senderling-McDonald
Deputy Executive Director
CWDA

cc: The Honorable Freddie Rodriguez
Honorable Members, Senate Human Services Committee
Taryn Smith, Consultant, Senate Human Services Committee
Joe Parra, Senate Republican Consultant
Donna Campbell, Office of Governor Jerry Brown
Robert Smith, California Department of Social Services
County Caucus